

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

PRINCESS CEDENO,

Plaintiff,

v.

CIVIL ACTION NO. 1:13-cv-12510

CAVALRY PORTFOLIO SERVICES,  
PORTFOLIO RECOVERY ASSOCIATES,  
NCO FINANCIAL SYSTEMS, IC  
SYSTEMS, INC., PROTOCOL RECOVERY  
SERVICES, STELLA RECOVERY, INC.,  
AMERICAN PROFIT RECOVERY, ALLIED  
COLLECTION SERVICES, PRINCIPE &  
STRASNICK, PC, RJM ACQUISITIONS,  
AND TATA & KIRLIN,

Defendants.

**MOTION OF DEFENDANTS CAVALRY PORTFOLIO SERVICES, LLC AND I.C.  
SYSTEM, INC. TO DISMISS ALL COUNTS FOR FAILURE TO STATE A CLAIM**

Pursuant to Fed. R. Civ. P. 12(b)(6), the Defendants Cavalry Portfolio Services, LLC (“Cavalry”) and I.C. System, Inc. (“ICS”) move for an order dismissing the Complaint in its entirety for failure to state a claim upon which relief can be granted. In support of this Motion, in accordance with basic principles of economy and efficiency and Fed. R. Civ. P. 10(c), Cavalry and ICS restate and incorporate here: (1) all of the points and authorities presented in their previously filed Motion of Defendants Cavalry Portfolio Services and I.C. System For Dismissal of TCPA and 93A Claims (Docket No. 18); and (2) all points and authorities presented by Protocol Recovery Services, Inc. (“Protocol”) in support of its recent Motion of Protocol Recovery Services to Dismiss Complaint (Docket No. 39). For all the reasons provided by

Cavalry and ICS in their prior motion and by Protocol in its motion, the plaintiff has failed to state any claim, and her entire complaint should be dismissed pursuant to Rule 12(b)(6).

For these reasons, the Defendants Cavalry and ICS request that the Court grant this motion and issue an order dismissing all claims against them.

CAVALRY PORTFOLIO SERVICES, LLC, and  
I.C. System, Inc.  
By their attorneys,

/s/ John J. O'Connor  
John J. O'Connor  
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**CERTIFICATE OF COMPLIANCE**

I, John J. O'Connor, hereby certify that I communicated with the plaintiff in compliance with Local Rule 7.1.

November 21, 2013

/s/ John J. O'Connor  
John J. O'Connor

**CERTIFICATE OF SERVICE**

I, John J. O'Connor, do hereby certify that I have, this 21<sup>st</sup> day of November, 2013, served the foregoing document on all counsel of record, by causing a copy thereof, to be sent electronically to the registered participants in this case as identified on the Notice of Electronic Filing (NEF).

/s/ John J. O'Connor \_\_\_\_\_  
John J. O'Connor

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